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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,602	04/14/2005	Georg Bauer	DE 020233	8158

24737 7590 03/17/2008
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

LEWIS, ALICIA M

ART UNIT	PAPER NUMBER
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2164

MAIL DATE	DELIVERY MODE
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03/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/531,602	BAUER, GEORG	
	Examiner	Art Unit	
	Alicia M. Lewis	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/14/05 and 2/21/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statements (IDS) submitted on April 14, 2005 and February 21, 2006 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

3. Claims 2-10 are objected to because of the following informalities: the word "A" at the beginning of the claims should be "The" to show antecedent basis of the dependent claims. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 8 recites the limitation "the data portion" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 12 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 12 recites a program to perform the method of claim 11. According to the specification, the recited program does not necessarily include hardware, and thus claim 12 is rejected as being non-statutory for not being tangibly embodied in a manner so as to be executable.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-4, 7 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corston-Oliver et al. (US 7,206,787 B2) ('Corston') in view of Chakravarty et al. (WO 01/97070 A1) ('Chak').

With respect to claims 1, 11 and 12, Corston teaches:

input means for inputting at least an input document and reference data (column 8 lines 22-28);

analysis means for analyzing the content of the input document as regards a content-based relation between the input document and the reference data (column 8 lines 22-29, column 13 lines 23-29);

determining a predetermined linkage (relationship) that corresponds to the type of content based relation between input document and reference data (column 11 lines 30-36); and

output means for outputting a linkage (relationship) of the selected type (column 8 lines 28-29).

Although Corston teaches determining a predetermined linkage, he does not teach selection means for selecting a type of linkage from a number of predefined types of linkages, a type of linkage being selected that corresponds to the type of content-based relation between the input document and the reference data.

Chak teaches a method and system for link management (see abstract), in which he teaches selection means for selecting a type of linkage from a number of predefined types of linkages (page 4, lines 17-21; page 5 line 35 – page 6 line 5), a type of linkage being selected that corresponds to the type of content-based relation between the input document and the reference data (page 5, line 25; page 6 lines 19-21 and lines 33-34; page 9, claim 2).

It would have been obvious to a person having ordinary skill in that art at the time the invention was made to have modified Corston by the teaching of Chak because selection means for selecting a type of linkage from a number of predefined types of linkages, a type of linkage being selected that corresponds to the type of content-based relation between the input document and the reference data would enable the tracking of link relationships between digital assets in a way in which the actual content and asset is irrelevant, thus allowing a large number of assets to be handled (Chak, page 2 lines 10-12).

With respect to claim 2, Corston as modified teaches in which the linkage comprises a linkage direction (Chak, Figures 3 and 7; page 6, lines 9-14).

With respect to claim 3, Corston as modified teaches in which the reference data are a second document (Corston, column 8 lines 22-28, column 13 lines 45-47).

With respect to claim 4, Corston as modified teaches in which the reference data are a representation for a group of content-related documents (Corston, column 13 lines 45-52; Chak, Figure 2; page 4, lines 5-7).

With respect to claim 7, Corston as modified teaches:
the input document comprises at least a text portion and a data portion (Chak, page 2, line 21; page 3, lines 26-30); and

the data portion containing information about the type and/or origin of the document (Chak, page 3 lines 26-28).

With respect to claim 9, Corston as modified teaches in which the analysis means access a database in which terms are assigned to generic terms (Corston, column 9 lines 9-15 and 50-63, column 11 line 59 – column 12 line 13; Chak, page 6, lines 2-3, Figure 3).

With respect to claim 10, Corston as modified teaches:

the input document and the established linkage are stored in a memory system (Chak, page 4, lines 28-34, Figure 4); and

the memory system being organized so that for documents stored therein there are linkages to other documents (Chak, Figure 4, page 4 lines 28-34).

10. Claims 5, 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corston-Oliver et al. (US 7,206,787 B2) ('Corston') in view of Chakravarty et al. (WO 01/97070 A1) ('Chak') as applied to claims 1-4, 7 and 9-12 above, and further in view of McKeown et al. (US 2005/0203970 A1) ('McKeown').

With respect to claim 5, Corston as modified teaches claim 1.

Corston as modified does not teach during the selection of the type of linkage keywords are searched for which denote the type of linkage between the content of the

input document and the reference data, and a type of linkage is selected corresponding to the keywords found.

McKeown teaches a system and method for document collection, grouping and summarization (see abstract), in which he teaches selection means for selecting a type of linkage from a number of predefined types of linkages, a type of linkage being selected that corresponds to the type of content-based relation between the input document and the reference data (Figure 3, paragraphs 43-45) ***(McKeown teaches that a router determines a relationship between documents, including selecting one of the summarization engines based on the relationship. The summarization engine selected corresponds to the linkage between the documents. For example, it is determined if the documents are related a single event, a particular person, or multiple events. The summarization engine selected represents the linkage type.)***; and

during the selection of the type of linkage keywords are searched for which denote the type of linkage between the content of the input document and the reference data (steps 305, 325, 330 in Figure 3, paragraphs 43-45) ***(In order to determine the summarization engine, which corresponds to linkage type, dates, capitalized words, and pronouns are searched.)***; and

a type of linkage is selected corresponding to the keywords found (steps 310, 320, 315, 335, 340 and 345 in Figure 3, paragraphs 43-45) ***(Based on the dates, words and pronouns, the appropriate engine (linkage) is selected).***

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Corston by the teaching of McKeown because during the selection of the type of linkage keywords are searched for which denote the type of linkage between the content of the input document and the reference data, and a type of linkage is selected corresponding to the keywords found would enable documents to be clustered, a relationship to be determined amongst a subset of documents, and allow a summary of the documents to be generated, thus enabling researchers to determine if a collection of documents is relevant (McKeown, paragraph 9).

With respect to claim 6, Corston as modified teaches when the type of linkage is selected, the document is assigned to one from a plurality of predefined types of documents (McKeown, paragraph 47 lines 8-10), and a type of linkage is selected in accordance with the type of document (McKeown, paragraph 47 lines 10-13).

With respect to claim 8, Corston as modified teaches in which the data portion of the input document is used to select the type of document (McKeown, paragraphs 43 and 47).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-

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5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alicia Lewis
March 6, 2008

/Charles Rones/
Supervisory Patent Examiner, Art Unit 2164